REMARKS/ARGUMENTS

1.   Claims 1 and 8 are rejected as being obvious over Lin, in view of Yamaguchi.

The Examiner argues "it would have been obvious to a person of ordinary skill in the art to use rasterized color separated gray level image data as the input data provided. The motivation for doing so would have been to be able to perform real-time layout editing of printer output data (column 5, lines 11-20 of Yamaguchi)".

Under section 103, teachings of references can be combined only if there is some suggestion or incentive to do so. Although couched in terms of combining teachings found in the prior art, the same inquiry must be carried out in the context of a purported obvious "modification" of the prior art. The mere fact that the prior art may be modified in the manner suggested does not make the modification obvious unless the prior art suggests the desirability of the modification. Lin and Yamaguchi fail to suggest any motivation for, or desirability of, the changes espoused. Here, hindsight is relied upon to arrive at the determination of obviousness. It is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the prior art so that the claimed invention is rendered obvious. Hindsight reconstruction cannot be used to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention.

Furthermore, any attempt to modify Lin would not only be the result of hindsight reconstruction of applicant's device, but would also destroy the intended function of the device of Yamaguchi. Destruction of intended use is a prima facie showing that references are not properly combinable for an obviousness showing. At column 5, lines 11-20 of Yamaguchi, as Examiner points out, raster-mage data is discussed. Also in this section "an image editing controller for performing image conversion relating to colors, magnification/reduction/modified editing and the like" is discussed. However, at column 6, line 66 to column 7, line 6 Yamaguchi again discusses image editing and states "During this processing, the document image developed in the display memory 411 by the image-editing controller 413 is displayed on the display 412. **Upon completion of the editing/layout** (step 7), device-driver software stored in the ROM 405 processes various kinds of information relating to the layed out document image on the hard disk 451 to **convert the formed document**

2

and image into a multivalue raster-image data (step 8)." The editing controller of Yamaguchi is not intended to edit rasterized data.

The function of Yamaguchi is to rasterize the image data **after** image editing. The claimed invention is to perform image editing **after** rasterization. Yamaguchi therefore teaches away from the present claimed invention. Teaching away is also is a prima facie showing that references are not properly combinable for an obviousness showing.

Also, in order to establish a prima facie case of obviousness, the prior art references must teach or suggest all the claim limitations. While applicant's take issue with the proposed combination, even if a person of ordinary skill in the art would find it obvious to combine the teachings of Lin and Yamaguchi as suggested, the claimed features still would not be met. Specifically, it is respectfully submitted that neither Lin and Yamaguchi either singularly or in combination, disclose or suggest image editing (i.e. halftone screen processing, gray level image enhanced processing modification) of rasterized color separated contone gray level image data. Therefore, a combination of Lin and Yamaguchi fails to teach or suggest all the claim limitations.

2.   Claim 10 is rejected as being obvious over Lin in view of Yamaguchi and Mongeon.

Applicant's arguments to the rejection of claims 1 and 8 with regard to hindsight reconstruction, destruction of intended function, and teaching away apply to the rejection of claim 10 as well. Not only is the Examiner is picking and choosing parts of several references attempting to reconstruct Applicant's claimed invention, but these references fail to teach or suggest, either singularly or in combination, adjusting color saturation of rasterized color separated contone gray level image data.

3.   Claim 11 is rejected as being obvious over Lin in view of Yamaguchi, Mongeon and Tai.

Applicant's arguments to the rejection of claims 1 and 8 with regard to hindsight reconstruction, destruction of intended function, and teaching away apply to the rejection of claim 11 as well. Not only is the Examiner is picking and choosing parts of four references attempting to reconstruct Applicant's claimed invention, but

these references fail to teach or suggest, either singularly or in combination, adjusting color saturation of rasterized color separated contone gray level image data.

4.   Claim 12 is rejected as being obvious over Lin in view of Yamaguchi and Yoshiaki.

Applicant's arguments to the rejection of claims 1 and 8 with regard to hindsight reconstruction, destruction of intended function, and teaching away apply to the rejection of claim 12 as well. Not only is the Examiner is picking and choosing parts of several references attempting to reconstruct Applicant's claimed invention, but these references fail to teach or suggest, either singularly or in combination, adjusting color saturation of rasterized color separated contone gray level image data.

5.   Claims 2-7, 13-15, 19 and 21-24 are rejected as being obvious over Lin in view of Yamaguchi and Tai.

Applicant's arguments to the rejection of claims 1 and 8 with regard to hindsight reconstruction, destruction of intended function, and teaching away apply to the rejection of claims 2-7, 13-15, 19 and 21-24 as well. Not only is the Examiner is picking and choosing parts of several references attempting to reconstruct Applicant's claimed invention, but these references fail to teach or suggest, either singularly or in combination, adjusting color saturation of rasterized color separated contone gray level image data.

6.   Claims 16-18 are rejected as being obvious over Lin in view of Yamaguchi, Tai and Mongeon.
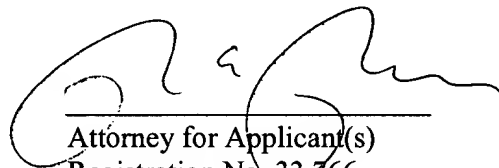
Applicant's arguments to the rejection of claims 1 and 8 with regard to hindsight reconstruction, destruction of intended function, and teaching away apply to the rejection of claims 16-18 as well. Not only is the Examiner is picking and choosing parts of four references attempting to reconstruct Applicant's claimed invention, but these references fail to teach or suggest, either singularly or in combination, adjusting color saturation of rasterized color separated contone gray level image data.

7.   Claim 20 is rejected as being obvious over Lin in view of Yamaguchi, Tai and In re Dulberg.

Applicant's arguments to the rejection of claims 1 and 8 with regard to hindsight reconstruction, destruction of intended function, and teaching away apply to the rejection of claim 20 as well. Not only is the Examiner is picking and choosing parts of several references attempting to reconstruct Applicant's claimed invention, but these references fail to teach or suggest, either singularly or in combination, adjusting color saturation of rasterized color separated contone gray level image data.

It is respectfully submitted that the prior art discussed above does not obviate the present claimed invention, and that this Application is now believed to be in condition for favorable reconsideration and early allowance, and such actions are respectfully requested.

Respectfully submitted,

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